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CALIFORNIA STATE PARK and RECREATION COMMISSION

De Anza Room, Borrego Springs Resort
1112 Tilting T Drive
Borrego Springs, California

Minutes of the Special Meeting - Thursday, February 8, 2007

COMMISSIONERS PRESENT

Jack Baylis
Caryl Hart
Bobby Shriver, CHAIR
Acquanetta Warren
Paul Junger Witt

COMMISSIONERS ABSENT

Joseph Cotchett
Clint Eastwood, VICE CHAIR
Sophia Scherman

CALIFORNIA STATE PARKS STAFF

Ruth Coleman, DIRECTOR
Bill Herms, DEPUTY DIRECTOR, LEGISLATION
Mark Jorgensen, SUPERINTENDENT, ANZA-BORREGO DESERT STATE PARK
Louis Nastro, ASSISTANT TO THE STATE PARK AND RECREATION COMMISSION
Tony Perez, CHIEF, SOUTHERN FIELD DIVISION
Roy Stearns, DEPUTY DIRECTOR, COMMUNICATIONS
Bradly Torgan, GENERAL COUNSEL
Mike Wells, Ph.D., SUPERINTENDENT, COLORADO DESERT DISTRICT

CALIFORNIA PUBLIC UTILITIES COMMISSION

Billie Blanchard, AICP, EIR/EIS PROJECT MANAGER, SUNRISE POWERLINK

SAN DIEGO GAS & ELECTRIC

Jim Avery, SENIOR VICE PRESIDENT

SPEAKERS REGISTERED/REPRESENTING

David Ainey/Self
Camille Armstrong/Kindergarteners in Valley Center
Preston J. Arrow-Weed/Quechan Tribe & Ah-Mut Pipa Foundation
Martha Baker/Volcan Mountain Preserve Foundation
Robert Barelmann/Self
David Baron/Self
Kathleen Beck/People's Powerlink and C.U.S.P.
Jeannie Beck/Self
Linda Briggs/Self
Andy Browne/Self
Ted Caragozian/Self

SPEAKERS REGISTERED/REPRESENTING continued

Alan Carlton/Self
Wesley Cater/Self
Donna Cerio/Self
William E. Claycomb/Save Our Bay, Inc.
Frank Colver/Self
Diane Conklin/Mussey Grade Road Alliance
Bill Corcoran/National Sierra Club
Bruce Crabtree/Self
Thomas Currie/San Ysidro Chamber of Commerce
Violet Devoe/Self
Laura Emerick/Self
John Federowicz/Imperial Irrigation District
Sara Feldman/California State Parks Foundation
Pat Flanagan/Self
Jason Fried/Self
Kelly Fuller/Self
Rick Garland/Visual Pollution & Scenic Preservation Task Force
David Garmon/Self
George L. Hahn/Self
Dan Hammer/U.S. Senator Barbara Boxer
Jonathan Hardy/State Senator Denise Moreno Ducheny, 40th District
Kristin Harms/Self
Eric Harrison/San Diego & Imperial County Labor Council
Mike Hart/Self
Tracy Heida/Self
Ryan Henson/California Wilderness Coalition
Pea Hicks/Self
David Hogan/Center for Biological Diversity
Larry Hogue/Self
Leonie Holmquist/Self
Geary Hund/The Wilderness Society
Mike Hussey/Self
Robin & Lori Ives/Self
Brian Jennings/Self
Nancy Jennings/Self
Adam Keats/Center for Biological Diversity
Bill Keese/Self
Betsy Knaak/Anza-Boreggo Desert Natural History Association
Joe Kocurek/Assembly Member Lori Saldaña, 76th Assembly District
Celia Lawley/CASE
Diana Lindsay/Self
Gwenn Marie/Borrego Springs Chamber of Commerce
Donna Matson/Self
Julie McDonald/Self
Ryan Mimms/San Diego and Imperial Counties Labor Council
Don Morrill/Self
Carolyn Morrow/CASE
Ray Mouton/Anza-Borrego Foundation
David Parks/San Diego Chamber of Commerce

SPEAKERS REGISTERED/REPRESENTING continued

Amisha Patel/California Chamber of Commerce
Laurence Peabody/Self
Andrew Poat/San Diego Regional Economic Development Corporation
Larry Pustinger/Self
Helena Quintana/Self
Joe Raffetto/California Overland Desert Excursions
John Raifsaider/Self
Gene Rasmussen/Self
Dr. James Rickard/Self
Ester Rubin/Self
Dr. Catherine Saubel/Los Coyotes Band of Indians
Melody Sees/Self
Sharon Lynn Sherman/Self
Gidon Singer/Self
Geoffrey Smith/Desert Protective Council & California Wild Heritage Campaign
Deanna Spehn/State Senator Christine Kehoe, 39th District
Dr. Michelle Stevens/Self
Kay Stewart/California Native Plant Society
Tim Sullivan/Self
Martha Sullivan/Self
Monty Tam/Pacific Crest Trail Association
Michael Thometz/MERIT-Mountain Empire Resources Information Taskforce
Elena Thompson/Self
Denis Trafecanty/Self
Merle Vogel/Self
Dave Voss/Self
James Ward/San Diego County Outdoor Education Foundation
Elizabeth Warner/Self
Nancy Wasko/Del Mar Regional Chamber of Commerce
Matt Way/Self
Cliff Webb/Stirling Energy Systems
Sam Webb/Colorado Desert Archeological Society
Terry Weiner/Desert Protective Council
Jason Wells/San Ysidro Chamber of Commerce
Richard White/Self
Roland Wilhelmy/Self
Judith Withers/Self
Ken Wright/Self
Joe Zechman/Sierra Caslub San Diego Chapter

CALL TO ORDER

Legal notice having been given, this special meeting of the California State Park and Recreation Commission was called to order at 7:16 p.m. by Commission Chair Bobby Shriver. Chair Shriver thanked everyone for attending the meeting, and added that the commissioners had enjoyed a pleasant day in Anza-Borrego Desert State Park. The Chair announced that this was a special meeting of the Commission and introduced the commissioners and California State Parks staff who were present, along with former Commissioner Gail Kautz, who the Chair explained had such a great interest in this issue that she had traveled from Lodi to visit the park again and participate in this evening's meeting.

Chair Shriver explained that the Commission would hear presentations parties directly involved with the proposed Sunrise Powerlink project before opening the meeting to comments from members of the public. The Chair asked California State Parks Director Ruth Coleman to introduce the presentations.

AGENDA ITEM 1:

PRESENTATIONS ON THE PROPOSAL TO CONSTRUCT THE “SUNRISE POWERLINK” PROJECT THROUGH ANZA-BORREGO DESERT STATE PARK

Director Coleman noted that the commissioners had spent the day visiting sites in Anza-Borrego Desert State Park along the proposed Sunrise Powerlink route. The Director explained, for the benefit of those who had not attended the day’s site briefing, that the commissioners had heard presentations on Sunrise Powerlink from staff members and others with a variety of expertise. She added that each of the commissioners had received a staff report on the project in advance of the meeting and that additional copies of the staff report had been provided this evening. Director Coleman concluded that State Parks’ perspective on the proposed project had been presented in sufficient detail at this time, and she recommended that the Chair proceed with the presentations.

Chair Shriver noted that the staff report referenced by Director Coleman was available to members of the public who wished to review it. The Chair explained that the Commission would now hear a short presentation from a representative of San Diego Gas & Electric, and that as the entity responsible for the Sunrise Powerlink project, San Diego Gas & Electric would be permitted 10 minutes to address the Commission.

The Chair went on to explain that at this time he had received 82 requests to speak, adding that in the interest of maintaining a quorum of commissioners, as well as in the interest of maintaining everyone’s attention and bringing the meeting to a conclusion at a reasonable hour, he would be permitting each member of the public two minutes to speak. Chair Shriver directed speakers’ attention to the arrangement of two podiums with microphones, explaining that he would call several names in succession and would like speakers to form lines at each of the microphones. The Chair stated that it was his hope that speakers would not mind standing in line for a few minutes in the interest of expediency. He also explained the function of the speaker timer, which would indicate when each speaker had 30 seconds remaining and emit a audible tone when two minutes had elapsed. Chair Shriver apologized for the need to impose time limits, adding that with over 80 speakers the time limits would need to be strictly enforced.

Director Coleman addressed the Chair with a clarification that after the speaker from San Diego Gas & Electric a staff member from the California Public Utilities Commission would provide the Commission with information regarding that commission’s evaluation process and timeline for the proposed project.

Chair Shriver then introduced Jim Avery, Senior Vice President for San Diego Gas & Electric. At this time the Chair noted that he heard hissing from the audience. In response to this, Chair Shriver stated that while he appreciated that the proposed Sunrise Powerlink project elicited a great deal of passion, catcalls and outbursts of a disrespectful nature would not be tolerated during the meeting. The Chair emphasized that every effort would be made to conduct the meeting in a manner that was respectful of everyone present.

Mr. Jim Avery, Senior Vice President for San Diego Gas & Electric, presented the commissioners with an overview of the proposed Sunrise Powerlink project. Mr. Avery emphasized the extensive research that had been conducted, the cooperative efforts involved, the potential deficiencies of the current electricity transmission system, reliability issues, and the possibility that existed for utilization of renewable resources, including the potential for solar, wind, and geothermal power. Mr. Avery provided a history of the project’s development and selection of the proposed route. Mr. Avery also noted that San Diego Gas & Electric had an existing transmission corridor traversing Anza-Borrego Desert State Park, and that this corridor existed prior to the establishment of the park. He explained that adjacent to the existing power line there existed an access road for operation and maintenance of the line, and he added that San Diego Gas & Electric’s proposal would be an upgrade of these facilities to resolve the power reliability needs of San Diego and provide the ability to gain access to renewable energy resources in Imperial Valley.

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Mr. Avery explained that San Diego Gas & Electric had examined the existing 100-foot-wide right-of-way and concluded that constructing a 500 kilovolt line (Kv) within this right-of-way would require a significantly greater number of tower structures than would be required if the right-of-way could be realigned. He stated that building within the existing right-of-way would also require taller tower structures than the proposed realignment, adding that while they were significantly taller, the proposed new tower structures would allow the number of towers in the park to be reduced by approximately 50 percent.

Mr. Avery stated that the existing transmission corridor traversed the highway many times, but that the proposed new alignment would stay on one side of the highway. Mr. Avery noted that realigning the corridor would also allow the new line to avoid several environmentally and culturally sensitive areas situated in close proximity to the route of the existing transmission line.

Mr. Avery noted that renditions of the proposed tower structures were displayed along the walls of the meeting room. He stated that while the illustrated tower structures were of the type being considered, San Diego Gas & Electric would remain open to changes in the structures should such changes be proposed by State Parks or members of the public.

Mr. Avery stated that the California Independent System Operator, a combined state/federal agency charged with overseeing the reliability of state's electrical grid, had determined that constructing a new 500 Kv line along what is known as the southern corridor was not viable, because a transmission line already exists in the two-mile wide corridor between Anza-Borrego Desert State Park and the Mexican border. He stated that constructing a second line along this route would compromise reliability since any lines following the route would be equally vulnerable to threats from lightning and wildfires. Mr. Avery stated that because of this San Diego Gas & Electric had been forced into using the proposed Sunrise Powerlink route to the north.

Mr. Avery also spoke of the proposal to build additional generating plants near San Diego as an alternative to a new transmission line. He stated that while San Diego was currently dependent on power plants that were over fifty years old, the question was not one of whether to construct more generating plants or a new transmission line, but that both were needed. He stated that building new plants powered by fossil fuels represented an ongoing commitment to these traditional resources, and that a preferable alternative would be to consider sources of renewable energy, which San Diego Gas & Electric believed could be available in the Imperial Valley.

Mr. Avery stated that San Diego Gas & Electric had distributed booklets containing virtually all of information he had presented to attendees of the meeting. He noted that San Diego Gas & Electric would continue to extend invitations to the public and other stakeholders in order to encourage and obtain their valuable comments and questions. Mr. Avery concluded that input provided by stakeholders was and would remain essential to the development of Sunrise Powerlink by San Diego Gas & Electric, and he thanked the commissioners for their attention.

Chair Shriver thanked Mr. Avery and asked if there were any questions from the commissioners.

Commissioner Caryl Hart asked Mr. Avery if the reliability issues pertaining to the route along the southern corridor, which she understood to be primarily caused by the threat of wildfires, could be resolved by running a new transmission line run underground along this route.

Mr. Avery replied that fire and lightning were the two major threats to transmission lines along the southern corridor, but that it was not feasible to place 500 kilovolt lines underground along this route.

Commissioner Hart stated that it was her understanding that 500 Kv lines could be placed underground if the lines were placed in two or four separate channels instead of a single channel, and Mr. Avery replied that Commissioner Hart was incorrect and that it was not feasible to place 500 Kv lines underground in the region in question. Commissioner Hart asked Mr. Avery to explain.

A discussion ensued between Commissioner Hart and Mr. Avery, during which Commissioner Hart again

stated that it was her understanding that it was possible to place 500 Kv lines underground, with Mr. Avery replying that this was not possible because of the high temperatures in the region. Mr. Avery stated that nowhere in the country had 500 Kv lines been placed underground, and he added that the maximum voltage that had been run underground was 345 Kv, which was possible only because the 345 Kv lines ran beneath a bay where the water above could provide adequate cooling. Commissioner Hart asserted that it could be possible to run a transmission line of this type underground by dividing the 500 Kv line into several smaller lines, and that the California Public Utilities Commission was considering just such an alternative for Sunrise Powerlink. Mr. Avery then stated that a 500 Kv line divided into four, five or six 130 Kv lines could be run underground, but that each circuit would have to be in a separate trench, and that this would require the addition of considerable work and expense, including the substantial expense of blasting through the solid rock that existed along the southern corridor. Mr. Avery concluded that while what Commissioner Hart was suggesting was theoretically possible, it could not be justified economically.

Commissioner Hart asked Mr Avery to confirm that the limitation was then a financial limitation, and Mr. Avery replied that the additional cost for such a proposal would amount to considerably more than tens of millions of dollars, that it would add hundreds of millions, and perhaps even billions of dollars to the cost of the project.

Commissioner Hart thanked Mr. Avery.

Chair Shriver asked if there were any other questions from the commissioners. There being none, the Chair thanked Mr. Avery and asked Ms. Billie Blanchard of the California Public Utilities Commission to make her presentation.

Ms. Blanchard explained that she was the California Public Utilities Commission (CPUC) project manager for the Sunrise Powerlink Environmental Impact Report and Environmental Impact Statement (EIR/EIS). Ms. Blanchard noted that the commissioners had been provided with a one-page summary of the CPUC's proceeding process and the EIR/EIS schedule. Ms. Blanchard explained that there were two parallel processes for CPUC review of a project of this nature: a "general proceeding" which would be managed by a member of the California Public Utilities Commission, and an administrative law process managed by an administrative law judge. She added that there was also an environmental review process for which Ms. Blanchard would act as project manager. Ms. Blanchard then provided highlights of the project's proceeding schedule:

An application was originally filed in December 2005.

An amended application with proponents of environmental assessment was filed in August 2006.

Prehearing conferences for the general proceeding were conducted during fall 2006.

The Administrative Law Judge completed the scoping memo in November 2006.

Testimony exchanges began in January 2007.

Evidentiary hearings on Phases 1 and 2 would take place in July 2007.

The proposed decision by the Administrative Law Judge is scheduled for December 2007.

A California Public Utilities Commission decision should be made by January 2008.

Ms. Blanchard added that the California Public Utilities Commission was currently involved in the environmental review schedule, that a first scoping period had been concluded during fall 2006, and that a second scoping period focusing on project alternatives was underway during January and February 2007. She explained that the California Public Utilities Commission would be preparing a second scoping report based on input from the public collected at these meetings, and she added that eight scoping meetings were being conducted this week in San Diego and Temecula. Ms. Blanchard concluded that the draft Environmental Impact Report/Environmental Impact Statement would be available in July of 2007, that there would be a 90-day comment period on the draft, and that the final EIR/EIS was scheduled for completion in Novem-

ber 2007. Ms. Blanchard then asked if there were any questions from the commissioners.

Chair Shriver asked Ms. Blanchard to clarify that members of the public were entitled to appear at the scoping meetings, and he asked her to confirm that one such scoping meeting had been conducted during the day in the same room in which the Commission was now meeting.

Ms. Blanchard explained that a scoping meeting had been conducted in Borrego Springs earlier in the day, and that it had been very well attended. She added that the California Public Utilities Commission had distributed 12,000 scoping notices concerning the project alternatives, and that considerable constructive input had already been received.

Commissioner Caryl Hart asked Ms. Blanchard to explain the California Public Utilities Commission's position regarding the State Park and Recreation Commission acting as a responsible party to the Sunrise Powerlink project.

Ms. Blanchard stated that the CPUC had conducted agency consultation meetings with State Parks, that State Parks had expressed a desire to be considered a responsible agency, and that the California Public Utilities Commission considered California State Parks to be a responsible agency in the matter.

Chair Shriver thanked Ms. Blanchard for her presentation.

AGENDA ITEM 2:

**PUBLIC TESTIMONY ON THE PROPOSAL TO CONSTRUCT THE
"SUNRISE POWERLINK" PROJECT THROUGH ANZA-BORREGO DESERT STATE PARK**

Chair Shriver introduced the public comment portion of the meeting at 7:40 p.m. The Chair once again explained the process he would employ to call speakers, and then proceeded to call a total of 99 speakers, some of which elected not to speak, over a period of approximately two hours and 40 minutes. After calling the last registered speaker, Chair Shriver asked if there were any unregistered speakers who wished to address the Commission. There being none, Chair Shriver closed public comment at 10:23 p.m.

Chair Shriver then asked if California State Parks staff would like to comment on any of the speakers' statements. Staff did not wish to respond at this time. The Chair then asked if the representatives from San Diego Gas & Electric or the California Public Utilities Commission would like to respond to any of the speakers or clarify anything that had been said; they did not wish to do so at this time.

Chair Shriver then asked each of the commissioners in turn to comment on the evening's proceedings.

Commissioner Jack Baylis stated that he wished to receive clarification of the process that would require removal of existing state wilderness designations, and he asked if the Commission could also be provided with an explanation of the project alternative that would involve the construction of a new power line within the existing easement.

Chair Shriver agreed that some additional information on the matters raised by Commissioner Baylis would be valuable, particularly the question of "choke points" along the existing easement and references that had been made to portions of the existing easement that would have to be enlarged to accommodate the Sunrise Powerlink project. The Chair asked Bradley Torgan, State Parks General Counsel, to respond.

Mr. Torgan stated that the current proposal for the Sunrise Powerlink project would require removing 43 acres from their current state wilderness designation. Mr. Torgan added that a change in classification such as this would be a discretionary action on the part of the State Park and Recreation Commission.

Chair Shriver asked if a precedent existed for the removal of designated wilderness.

Mr. Torgan replied that State Parks was not aware of any designated wilderness area that had subsequently had that designation removed.

Mr. Torgan continued in response to Commissioner Baylis' question regarding the project alternative that

proposed construction of the new power line within the existing right-of-way. Mr. Torgan stated that discussions on this subject had been taking place amongst all the project stakeholders, including the Federal Bureau of Land Management, with regard to identifying the precise limits of the existing right-of-way. He added that this alternative – to keep new development within the existing easement – would require detailed analysis by the California Public Utilities Commission as the CPUC had recognized the State Park and Recreation Commission as a responsible agency. Mr. Torgan added that the involvement of the State Park and Recreation Commission would add an additional step to the regulatory process if the right-of-way was to be expanded. Mr. Torgan also explained that if right-of-way was not to be expanded it would decrease the likelihood that San Diego Gas & Electric would be required to come before the Commission for an amendment to the Anza-Borrego Desert State Park General Plan, though he added that even if it was determined that an amendment to the general plan was not required, any changes to existing wilderness designations would still require a Commission decision, dependent on the final alignment of the proposed power line.

The commissioners continued with their comments on the evening's proceedings. Each of the commissioners' comments was followed by enthusiastic applause.

Commissioner Paul Junger Witt thanked everyone who attended the meeting for their passion and orderly conduct during the meeting, adding that he recognized that it was not easy to listen to opposing points of view. The Commissioner acknowledged the meeting as a successful exercise in public participation. Commissioner Witt added that every speaker had been heard and that he and his fellow commissioners understood the importance of the task that was before them. He thanked the attendees for the important role they played in aiding the commissioners' understanding of Sunrise Powerlink.

Commissioner Acquanetta Warren noted that it was easy for her to agree with Commissioner Witt's comments. Commissioner Warren added that she appreciated everyone's contribution to the evening's proceedings, though she believed that much research remained to be conducted. She encouraged those who attended the meeting on both sides of the proposed project to continue to stay involved with Anza-Borrego Desert State Park. Commissioner Warren also thanked the local citizenry for their hospitality, adding that visiting the park in person had been far more valuable than reading about it, and that she had learned a great deal. Commissioner Warren complimented the local citizens on the beauty of the area.

Commissioner Caryl Hart stated that she also wished to reiterate the comments of her fellow commissioners. Commissioner Hart noted that she had hiked to the oasis at Palm Canyon the morning of the meeting along with Director Ruth Coleman and other State Parks staff, adding that she very much appreciated Anza-Borrego Desert State Park and had perhaps visited it more than any other state park in her almost seven years as a member of the State Park and Recreation Commission. The Commissioner stated that she loved the park and believed everyone who had attended the meeting felt the same. She thanked everyone for participating, expressed the Commission's appreciation, and added that the commissioners understood their obligation and would be taking the matter of Sunrise Powerlink very seriously.

Chair Shriver recognized Director Ruth Coleman.

Director Coleman stated that she wished to clarify that the proceedings of this evening's meeting related only to actions that could take place in the future, and that State Parks would be submitting the comments received today to the California Public Utilities Commission. The Director then asked General Counsel Bradley Torgan to explain the next steps in the Sunrise Powerlink project as they related to California State Parks.

Mr. Torgan stated that a record of today's meeting would be transmitted to the California Public Utilities Commission. He added that like the State Park and Recreation Commission, the CPUC was currently gathering information related to Sunrise Powerlink. Mr. Torgan stated that according to the environmental review schedule provided by Ms. Billie Blanchard of the CPUC, the draft Environmental Impact Report (EIR) for the project would be released in July 2007. He stated that at the current time, thirty different

system, non-wire, and route alternatives were being forwarded to the CPUC for detailed analysis in the project's environmental impact report.

Mr. Torgan explained that State Parks staff would be reviewing and commenting on the draft EIR, adding that they would continue to inform the commissioners of any developments related to the project. He reiterated that California State Parks would be an active party in the California Public Utilities Commission process, and that State Parks would be submitting testimony and participating in the evidentiary hearings and related briefings that would take place in July 2007. Mr. Torgan also clarified that the draft Environmental Impact Report was scheduled for certification and California Public Utilities Commission action in early 2008, and that only after that time could the project come to the State Park and Recreation Commission for discretionary action, either regarding the decision to amend the general plan for Anza-Borrego Desert State Park, the decision to de-designate existing wilderness, or both.

Chair Shriver reviewed Mr. Torgan's comments. The Chair stated that in 2008, after a great deal of work had been conducted, a determination would be made as to whether or not the California State Park and Recreation Commission had the legal authority to take action related to Sunrise Powerlink. The Chair stated that several of the evening's speakers had expressed their desire for the Commission to take action or vote on this issue at this evening's meeting. He explained that the Commission was required to act within its authority and would therefore not be voting tonight, and he stated that he wished to make it understood that the Commission may never be called upon to conduct a vote related to Sunrise Powerlink. The Chair emphasized that while the Commission may be required to act at some time in the future, they may never be called upon to do so.

Chair Shriver explained that he had made these statements to ensure that everyone present, regardless of their views, understood that they must continue to make their beliefs known, not only to State Parks but to all stakeholders involved with Sunrise Powerlink, especially their respective elected representatives. Chair Shriver encouraged all concerned to write letters to their representatives and continue to express their convictions. He encouraged citizens to visit their representatives in person and remain involved throughout what could be a long and arduous process.

Chair Shriver commended all who had participated in this late-night meeting. He thanked everyone for attending and praised the uniqueness and beauty of Anza-Borrego Desert State Park.

**AGENDA ITEM 3:
ADJOURNMENT**

After asking again if anyone else would like to comment, Chair Shriver thanked the attendees a final time and adjourned the meeting at 10:33 p.m.